

Message Text

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C O N F I D E N T I A L SECTION 01 OF 04 BONN 01034

E.O. 11652: GDS
TAGS: PFOR PGOV NATO WB GE GW US UK FR UR
SUBJECT: BRIEFING IN THE NAC ON RECENT GDR MEASURES

REFS: (A) BONN 924; (B) STATE 7989; (C) BONN 654

BEGIN SUMMARY. BONN GROUP HAS REACHED AD REF
AGREEMENT ON A REVISED TEXT FOR BRIEFING NATO ON THE
ALLIED RESPONSE TO RECENT GDR MEASURES AND STATEMENTS.
ACTION REQUESTED: DEPARTMENT'S APPROVAL OF AD REF
TEXT. END SUMMARY.

1. IN JANUARY 18 MEETING, BONN GROUP REACHED AD REF
AGREEMENT ON A REVISED TEXT FOR BRIEFING NATO ON THE
ALLIED RESPONSE TO RECENT GDR MEASURES AND STATEMENTS
INVOLVING THE STATUS OF EAST BERLIN. DRAFTING WAS
BASED UPON THE POINTS NOTED IN PARAS 2 AND 3, REF A.
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2. IN REGARD TO TIMING FOR THE BRIEFING, FRENCH REP
(BOISSIEU) NOTED, AT CONCLUSION OF THE MEETING, THAT
UNDER NO CIRCUMSTANCES COULD HE EXPECT TO RECEIVE
INSTRUCTIONS ON THE NEW TEXT BEFORE FRIDAY DUE TO
VISIT OF FOREIGN MINISTER DE GUIRINGAUD TO BERLIN ON
JANUARY 19-20. THUS, BRIEFING COULD NOT BE EXPECTED

TO TAKE PLACE UNTIL NEXT WEEK.

3. THERE ARE ONLY TWO CHANGES IN THE FIRST SECTION OF THE DRAFT ("THE EVENTS") AS REPORTED IN REF C:

-- IN PARA 3, CHANGE "EAST BERLIN" TO "THE EASTERN SECTOR OF BERLIN."

-- IN PARA 4, REPLACE THE ROMAN NUMERALS FOR THE SUBPARAGRAPHS WITH LETTERS (A, B, C, AND D).

4. THE REVISED DRAFT THUS CONSISTS OF PARAS 1 THROUGH 5 OF THE TEXT TRANSMITTED IN REF (C), AS AMENDED ABOVE, PLUS THE FOLLOWING "ANALYSIS" SECTION:

BEGIN TEXT

ANALYSIS

6. THE ESSENTIAL INTEREST OF THE WESTERN POWERS IN BERLIN IS TO MAINTAIN ALLIED RIGHTS AND RESPONSIBILITIES, WHICH HAVE BEEN CONFIRMED BY THE FOUR POWERS BOTH IN THE QUADRIpartite AGREEMENT AND IN THE QUADRIpartite DECLARATION OF NOVEMBER 6, 1972, AND TO ENSURE THE FULL IMPLEMENTATION OF THE QA IN ALL ITS PROVISIONS. THE INTERLOCUTOR OF THE THREE WESTERN ALLIES IN THIS MATTER IS THE SOVIET UNION. WHILE THE RECENT GDR MEASURES WERE ALMOST CERTAINLY TAKEN WITH SOVIET APPROVAL, THEY HAVE BEEN CONFINED WITHIN LIMITS
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WHICH DO NOT APPEAR TO POSE A DIRECT CHALLENGE TO ALLIED RIGHTS AND RESPONSIBILITIES IN AND AROUND BERLIN.

7. ALL BERLIN ISSUES, ESPECIALLY THOSE CONCERNING ALLIED RIGHTS AND RESPONSIBILITIES, ARE DEALT WITH

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WITH BETWEEN THE THREE WESTERN ALLIES AND THE SOVIET UNION. NEVERTHELESS, THERE ARE AREAS IN WHICH THE GDR CAN TRY TO ALTER THE SITUATION TO THE DISADVANTAGE OF THE WEST AND APPEARS TO BE ALLOWED TO DO SO BY THE SOVIET UNION. ONE SUCH AREA IS THE "STATUS" OF THE EASTERN SECTOR.

8. THE GRADUAL EROSION OF THE STATUS OF THE CITY IS DANGEROUS. ANY STEP TAKEN BY THE OTHER SIDE MAY SEEM AT FIRST SIGHT OF LITTLE PRACTICAL OR LEGAL CONSEQUENCE, AND IN OBJECTING TO IT THE ALLIES MAY THEREFORE APPEAR TO BE PURSUING PURELY SYMBOLIC POINTS. BUT THE VIABILITY OF THE WESTERN PART OF THE CITY, ACCESS TO IT AND ITS TIES WITH THE FEDERAL REPUBLIC OF GERMANY ARE IN THE LAST RESORT ALL PLACED IN JEOPARDY IF THE RIGHTS AND RESPONSIBILITIES OF THE
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FOUR POWERS IN RELATION TO THE WHOLE OF GREATER BERLIN ARE CALLED INTO QUESTION.

9. THE LONG TERM EAST GERMAN OBJECTIVE IN RESPECT OF THE EASTERN SECTOR OF BERLIN REMAINS TO INCORPORATE IT AS COMPLETELY AS THE RUSSIANS WILL PERMIT WITHIN THE GDR. THE SOVIET ATTITUDE PROBABLY REMAINS ONE OF MORE

RESTRAINT: THE PRESENT STATUS OF THE EASTERN SECTOR GIVES THEM LEVERAGE WITH THE EAST GERMANS AND THEY PROBABLY CALCULATE THAT TOO SUDDEN A CHANGE COULD PREJUDICE THE GAINS THEY SEEK FROM THEIR WESTPOLITIK AND THEIR EXPLOITATION OF DETENTE. NEVERTHELESS, THE SOVIET UNION SUPPORTS THE GDR IN DENYING THAT THERE IS STILL SUCH A THING AS GREATER BERLIN, AND IT MUST BE RECOGNIZED THAT THE SOVIETS MAY ALSO HAVE AN INTEREST IN EFFECTING THE FULL INTEGRATION OF THE EASTERN SECTOR OF BERLIN INTO THE GDR. SUCH A DISAPPEARANCE OF THE "SOVIET SECTOR" WOULD PERMIT THEM TO ADVANCE THEIR CLAIMS TO A GREATER ROLE IN THE AFFAIRS OF THE WESTERN SECTORS BY ARGUING THAT QUADRIPARTITE RIGHTS AND RESPONSIBILITIES WERE NOW FOCUSED SOLELY ON THOSE SECTORS.

10. IN PURSUIT OF THEIR OBJECTIVE, EAST GERMAN POLICY IS TO REMOVE, TO THE EXTENT THAT THE RUSSIANS WILL ALLOW THEM, THE REMAINING VISIBLE AND LEGAL SIGNS OF DISTINCTION BETWEEN THE EASTERN SECTOR OF BERLIN AND THE TERRITORY OF THE GDR. IN ADDITION TO REMOVING THE CHECKPOINTS WHICH EXISTED UNTIL THE BEGINNING OF JANUARY THIS YEAR, THE GDR HAS RECENTLY TAKEN THE FOLLOWING ADDITIONAL STEPS:

A. THE MAYOR OF THE EASTERN SECTOR OF BERLIN WAS ELECTED TO THE COUNCIL OF MINISTERS OF THE GDR IN 1974, PRESUMABLY EX-OFFICIO, AND WAS REELECTED IN OCTOBER 1976. HIS REELECTION AS A MEMBER
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OF THE COUNCIL OF MINISTERS RELATED SPECIFICALLY TO HIS FUNCTION AS MAYOR.

B. A NEW ELECTORAL LAW PASSED IN JUNE 1976 DROPPED THE USE OF THE SPECIAL TERM "REPRESENTATIVE" FOR THE DELEGATES APPOINTED (NOT ELECTED) TO THE VOLKSKAMMER OF THE GDR FROM THE EASTERN SECTOR OF BERLIN. THESE DELEGATES ALSO NO LONGER HAVE A SPECIAL IDENTITY CARD.

C. GDR GUARDS AT THE BOUNDARY BETWEEN THE EASTERN SECTOR OF BERLIN AND THE WESTERN SECTORS NOW WEAR ARMBANDS SAYING "BORDER TROOPS OF THE GDR."

D. OF POSSIBLY GREATEST SIGNIFICANCE, THE "GAZETTE FOR GREATER BERLIN," IN WHICH LEGISLATION PASSED BY THE VOLKSKAMMER AND TAKEN OVER BY THE EASTERN SECTORS OF BERLIN HAD TRADITIONALLY BEEN PUBLISHED, HAS NOT APPEARED SINCE BEFORE THE LAST

ELECTIONS TO THE VOLSKAMMER IN OCTOBER. AN SED-AFFILIATED NEWSPAPER IN THE WESTERN SECTORS OF BERLIN REPORTED ON JANUARY 14 THAT PUBLICATION WAS DISCONTINUED AT THE BEGINNING OF THE YEAR BECAUSE THERE WAS NO LONGER ANY NECESSITY FOR IT, SINCE LAWS PASSED BY THE VOLKSKAMMER APPLY "TO THE ENTIRE GDR, AND THE CAPITAL IS AN INTEGRAL PART OF IT." THIS ARTICLE, WHILE NOT AN OFFICIAL CONFIRMATION, TENDS TO SUPPORT OTHER EVIDENCE THAT THE PUBLICATION HAS CEASED TO EXIST.

11. THE INTRODUCTION OF ADDITIONAL VISA REQUIREMENTS FOR FOREIGNERS IS A SEPARATE ISSUE. WE OBJECTED

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TO THIS GDR ACTION BECAUSE:

A. ANY RESTRICTION CONTRADICTS THE PRINCIPLE OF FREEDOM OF MOVEMENT WITHIN GREATER BERLIN, A PRINCIPLE WHICH THE WESTERN ALLIES OBSERVE; AND

B. THE GDR ACTION IS OF SUCH A KIND THAT IT COULD

PRESAGE MORE SERIOUS STEPS.

NEVERTHELESS, BECAUSE THE CHANGE IN THE VISA LAW MERELY ADDED TO RESTRICTIONS WHICH ALREADY EXISTED, THE THRUST OF OUR PROTEST ABOUT THE STATUS OF BERLIN WAS DIRECTED MORE TO THE UNACCEPTABLE STATEMENT WHICH ACCOMPANIED THE NEW MEASURES THAN TO THE MEASURES THEMSELVES.

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12. THE DECISION OF THE ALLIES TO PROTEST, AND THE TONE OF THEIR PROTEST, WAS THUS DETERMINED NOT ONLY BY THE SERIOUS VIEW THEY TOOK OF WHAT THE GDR HAD DONE, BUT BY THEIR WISH TO MAKE IT CLEAR THAT THE GDR SHOULD IN NO CIRCUMSTANCES BE PERMITTED BY THE SOVIET UNION TO TAMPER WITH THE EXERCISE BY THE THREE WESTERN ALLIES OF THEIR RIGHTS AND RESPONSIBILITIES IN THE EASTERN SECTOR. LEAVING ASIDE THE QUESTION WHETHER THE APPARENT DISCONTINUATION OF PUBLICATION OF THE "GAZETTE FOR GREATER BERLIN" MEANS THAT GDR LEGISLATION IS IN THE FUTURE TO APPLY DIRECTLY TO THE EASTERN SECTOR, THERE ARE ALSO AT LEAST TWO RESPECTS IN WHICH THE GDR AT PRESENT APPEARS BY ITS OWN ACTION TO RECOGNIZE THAT BERLIN HAS A SPECIAL STATUS. THERE ARE:

A. THE PROVISIONS FOR THE EASTERN SECTORS OF BERLIN TO DELEGATE BUT NOT TO ELECT REPRESENTATIVES TO THE VOLKSKAMMER;

B. DISTINCT VISA REQUIREMENTS FOR THE EASTERN SECTOR OF BERLIN AND FOR THE GDR EVEN AFTER IMPLEMENTATION OF THE NEW VISA REGULATION (SINGLE DAY VISAS FOR THE EASTERN SECTOR CAN BE OBTAINED DIRECTLY AT THE CHECKPOINT, UNDER DIFFERENT PROCEDURES FROM THOSE REQUIRED FOR VISITING THE GDR).

IT IS HOPED THAT THE ALLIED PROTEST WILL HAVE THE EFFECT OF DISSUADING THE GDR FROM DOING AWAY WITH THESE FEATURES OF ITS PRACTICE TO DATE.

ON (A) THE NATURAL MOMENT TO INTRODUCE RADICAL CHANGE, HAD THIS BEEN INTENDED, WOULD HAVE BEEN WHEN THE NEW ELECTORAL LAW WAS PASSED IN JUNE. THIS LAW DID NOT IN FACT ALTER THE PROVISION THAT EAST BERLIN REPRESENTATIVES SHOULD BE DELEGATED TO THE VOLKSKAMMER AND IT IS

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DIFFICULT TO SEE HOW THIS CHANGE COULD BE BROUGHT ABOUT
MUCH BEFORE THE NEXT GENERAL ELECTION IN 1981.

ON (B) THE MEASURES INTRODUCED ON 1 JANUARY, THOUGH
PROBABLY AIMED IN PART AT MITIGATING WHAT THE GDR SAW
AS A SOCIAL PROBLEM, WOULD BE A CONVENIENT FIRST STEP
IF THE GDR INTENDED TO TREAT THE SECTOR BOUNDARY EXACTLY
AS ITS NATIONAL FRONTIER FOR PURPOSES OF IMMIGRATION AND
CUSTOMS CONTROL.

13. THE LARGER SIGNS OF BERLIN'S CONTINUING SPECIAL

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STATUS AS AN AREA OF QUADRIpartite RIGHTS AND
RESPONSIBILITIES ARE OF COURSE THE FREE
MOVEMENT OF ALLIED TRAFFIC THROUGHOUT THE CITY AND
THE CONTINUED FUNCTIONING OF THE SPECIAL AIR REGIME,
INCLUDING THE FOUR POWER BERLIN CONTROL ZONE WITH

RESPONSIBILITY FOR AIR TRAFFIC OVER THE EASTERN
AS WELL AS THE WESTERN SECTORS OF BERLIN AND THE
RIGHT OF ALLIED AIRCRAFT TO FLY OVER ALL OF BERLIN.
THERE IS NO SIGN OF ANY SOVIET INTENTION TO ALLOW
THESE ARRANGEMENTS OR THE SPECIAL ARRANGEMENTS FOR
ACCESS TO BERLIN TO BE DISTURBED BY THE GDR, AND IT
CAN BE ASSUMED THAT THE GDR WOULD NOT ATTEMPT ANY
INITIATIVES IN RESPECT OF THEM EXCEPT AT SOVIET
INSTIGATION.

14. THE PURPOSE OF THE ALLIED STATEMENT AND PROTEST
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WAS TO MAKE CLEAR THE SERIOUSNESS WITH WHICH THE ALLIES
VIEW THE RECENT DEVELOPMENTS, TO WARN THE SOVIET
UNION THAT THE WESTERN ALLIES DO NOT ACCEPT THAT ANY
ACTS OF THE GDR CAN CHANGE THE FACT THAT ALLIED
RIGHTS AND RESPONSIBILITIES APPLY TO THE WHOLE OF
GREATER BERLIN INCLUDING THE EASTERN SECTOR AND, IT
IS HOPED, TO DISCOURAGE THE SOVIET UNION FROM PERMITTING
ANY FURTHER ACTS BY THE GDR PURPORTING TO CHANGE THE
STATUS OF THE EASTERN SECTOR AND SO, BY IMPLICATION,
TO UNDERMINE ALLIED RIGHTS AND RESPONSIBILITIES THERE.

END TEXT

5. ACTION REQUESTED: THAT THE DEPARTMENT APPROVE THE
ABOVE TEXT AND AUTHORIZE USNATO TO COORDINATE WITH
UK, FRENCH, AND FRG DELEGATIONS ON THE PRESENTATION
TO THE NAC.
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